

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

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UNITED STATES OF AMERICA,
v.
JUDY ANN BANKS SIMS

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)
)

CASE NO. CR-3:06cr00041

MOTION TO CONTINUE SENTENCING

COMES NOW the Defendant Judy Ann Banks Sims by and through counsel and files this Motion to Continue Sentencing and states the following grounds:

1. The Defendant's sentencing is presently scheduled for August 16, 2006.
2. The undersigned attorney for said Defendant will undergo shoulder surgery on August 10, 2006, and is expected to be confined to his home for one to two weeks and will not be able to attend the sentencing. Said attorney is the only attorney in the firm who is intimately familiar with the negotiations with the Government, conferences with the Assistant U.S. Attorney and the United States Office of Probation.
3. The Defendant prefers to have her own attorney at the sentencing.

4. Assistant U.S. Attorney Andy Schiff does not oppose the continuance.

Respectfully submitted this the 3rd day of August, 2006.

CAPELL & HOWARD, P.C.

By: George L. Beck, Jr.
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CERTIFICATE OF SERVICE

I hereby certify that I have served a true copy of the foregoing instrument upon the following individual(s), properly addressed, by placing same in the United States Mail, first-class, postage prepaid, on this the 3rd day of August, 2006.

Andrew O. Schiff, Esq.
Assistant U.S. Attorney
P.O. Box 197
Montgomery, AL 36101-0197

Mr. Terrence Marshall
United States Probation Office
Post Office Box 39
Montgomery, AL 36101

By: George L. Beck, Jr.
GEORGE L. BECK, JR. (BEC011)